



**COAST GUARD**  
**MARINE SAFETY OFFICE**  
**JACKSONVILLE**



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**MARINE SAFETY INFORMATION BULLETIN 09-04**

**01 JUNE 2004**

**MEETINGS TO DISTRIBUTE NVIC 06-04 ENCLOSURE ONE**

**Voluntary Screening Guidance For Owners or Operators Regulated Under Parts 104, 105, and 106 of Subchapter H of Title 33, Code of Federal Regulations**

As Federal Maritime Security Coordinator, I will distribute Enclosure (1) to NVIC 06-04 only to those covered persons with a need to know. I have attached NVIC 06-04 without the enclosure. To distribute this important new guidance as smoothly and quickly as possible, I am convening two meetings (one in Jacksonville and one in Port Canaveral) on the following dates and at the following locations:

Friday, 04 June      8 – 11 a.m.      JAXPORT 1<sup>st</sup> Floor Conference Room  
2065 E. 11th Street, Jacksonville

Tuesday, 08 June      1 - 2 p.m.      Canaveral Port Authority Board Conference Room

Enclosure (1) to NVIC 06-04 is Sensitive Security Information under the definition of that term at Title 49, Code of Federal Regulations Part 1520.5. Accordingly, this information is not subject to public disclosure. If this information were disclosed, it could be used to subvert or exploit the security programs of vessels, facilities, or ports.

I will disclose enclosure (1) to any port entity that is a covered person under 49 CFR part 1520.7 and can prove to my satisfaction that they have a need to know the information, as defined in 49 CFR part 1520.11. Any person who believes they are both a covered person and have a need to know may petition me for enclosure (1), but at present I deem only facility security officers under 33 CFR part 105, vessel security officers under 33 CFR part 104, company security officers under 33 CFR part 104, and appointed members of the Port Security Committee's Executive Subcommittees to have a need to know at this time.

In order to expedite the process of determining and documenting each person's status as a covered person, and secondarily as having a need to know, I am requiring any person petitioning for copy of NVIC 06-04 enclosure (1) to present to my satisfaction at the above meetings a letter on corporate letter head identifying that the person actually present (i.e., not an alternate or employee) is the FSO, VSO, or CSO designated in a submitted Facility or Vessel Security Plan, or an alternate reason why

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the person should be considered a “covered person under 49 CFR part 15.7, and explaining the person’s role in supervising and/or writing the plan and procedures for screening under 33 CFR part or at a public access facility. This letter must contain direct line phone numbers for the senior representative of your company or branch in the Northeast and Eastern Central Florida area so that my staff can verify the validity of the letter. Each person petitioning for a copy of NVIC 06-04 Enclosure (1) must also bring a current, valid government-issued picture identification. If a person petitions for the Enclosure without both a letter as requested above and a valid government-issued picture identification will not be given access to the document. This decision may be appealed in writing to the Commander, Seventh Coast Guard District as outlined in the regulations at 33 CFR part 1.07-70.

Appointed members of the Port Security Committee Executive Subcommittee should bring copies of their appointment letters and current, valid government-issued photo identification; no additional letter is required.

When my staff has verified each petitioner’s photo identification, status as a “covered person,” and need to know, they will require each person (who has not already done so) to sign a standard Department of Homeland Security non-disclosure agreement. Once this has been done, my staff will issue each person a copy of NVIC 06-04 Enclosure (1) and make a permanent record of the person having received the document. At that point, each receiving person is ALSO bound by the same rules and procedures (i.e., they may only disclose the document and its information to other Covered Persons with a need to know, and record of that disclosure must be kept). All petitioners are therefore reminded to review the rules governing Sensitive Security Information contained at 49 CFR parts 1520.9, 1520.17, and 1520.19.

If you have any questions, comments or concerns please contact Lieutenant Commander Brian Penoyer at 232-2640,ext. 111.

David L. Lersch  
Captain, U.S. Coast Guard  
Federal Maritime Security Coordinator  
Captain of the Port